IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

HONOURABLE SMT. JUSTICE T. MEENA KUMARI

AND

HONOURABLE MR. JUSTICE K.C. BHANU

WRIT PETITION NO. 2318 OF 2006

Date:13.02.2006

BETWEEN:

Mohd. Arif

…. PETITIONER

And

1. The Station House Officer, Falaknuma Police Station, Hyderabad, and another.

…. RESPONDENTS

HONOURABLE SMT. JUSTICE T. MEENA KUMARI

AND

HONOURABLE MR. JUSTICE K.C. BHANU

WRIT PETITION NO. 2318 OF 2006

ORAL ORDER: (Per TMK,J.)

This writ petition is taken up on the basis of the Telegram dated 04.02.2006,

sent by the petitioner for issuance of Writ of Habeas Corpus directing the Respondents herein to produce before this Court the petitioner's wife's sister-in-law and brother, who were illegally detained by the Station House Officer, Falaknuma Police Station, Hyderabad, and set them at liberty forthwith.

A counter affidavit has been filed by the respondents denying the allegations made in the writ affidavit stating that one Smt. Khaleda Saleem, W/o. Mohd. Abdul Saleem, R/o. Fathe Dharwaza, Hyderabad lodged a complaint on 30.1.2006 stating that there are some financial transactions between her and her brothers, namely, Mohd. Arif, Mohd, Taufeeq and Mohd, Rafeeq and that she let out her residential house to one of his brothers, namely, Mohd. Arif. On 27.1.2006, when she demanded for house rent and the business profits from her brothers, where she has advanced some amounts, they threatened her and kicked her husband and attacked them with an intention to kill them. Basing on the said complaint, a case in Cr.No.25 of 2006 under Sections 323, 506 read with Section 34 IPC of Falaknuma Police Station was registered and took up investigation. During the course of investigation, the statements of the complainants and LWs.1 to 4 were recorded. In that regard the police visited the house of the petitioner and caused enquiries about him and his two brothers, but they are absconding. It is categorically stated that the wife and sister-in-law of the petitioner are not wanted in any case pending with Falaknuma Police Station.

In view of the averments made in the counter affidavit no further orders are necessary in this writ petition. Accordingly, the Writ Petition is dismissed at the admission stage.

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(T. MEENA KUMARI, J.)

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(K.C. BHANU, J.)

13th February, 2006

Js.